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Transmission by Facsimile on February 19, 2007

FEB 20 2007

**PATENT**  
Dkt. No. HO-P02393US0

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Timothy E. Grib, Michael A. Brown**  
 Assignee: **WILTEL COMMUNICATIONS GROUP, INC.**  
 Application No.: **09/964,232** Group No.: **2143**  
 Filed: **September 26, 2001** Examiner: **Kyung H. Shin**  
 For: **METHOD AND APPARATUS FOR PERFORMANCE MEASUREMENT OF  
DIFFERENT NETWORK ROUTES BETWEEN DEVICES**

**Mail Stop AF**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 24, 2007, for a second time rejecting claims 1-29.

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity: \$500.00

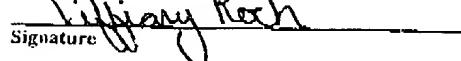
Notice of Appeal fee due: **\$500.00**

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)**

I hereby certify that, on the date shown below, this correspondence is being:

**TRANSMISSION**

■ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

  
\_\_\_\_\_  
Signature

Date: February 19, 2007

Tiffany Koch  
(type or print name of person certifying)

02/21/2007 TL0111 00000069 09964232

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**3. EXTENSION OF TERM**

**FEB 20 2007**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for 1:

**Fee: \$120.00**

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee: \$500.00  
Extension fee: \$120.00

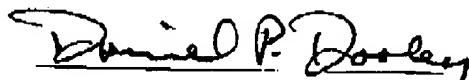
**TOTAL FEE DUE \$620.00**

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$620.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

Respectfully submitted,

Date: 2-19-07



Daniel P. Dooley, USPTO Registration No. 46,369  
Fellers, Snider, Blankenship, Bailey & Tippens  
100 N. Broadway, Suite 1700  
Oklahoma City, OK 73102-8820  
Telephone: 405-232-0621  
Facsimile: 405-232-9659

R. Alan Weeks, USPTO Reg. No.: 36,050  
Fellers, Snider, Blankenship, Bailey & Tippens  
321 South Boston Ave., Suite 800  
Tulsa, OK 74103-3318  
Telephone No.: (918) 599-0621  
Facsimile No.: (918) 583-9659  
Customer No.: 22206